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MAY 26 2004

OFFICE OF PETITIONS

In re Application of :
Walker, Jorasch, Fincham, Krantz, : DECISION ACCORDING STATUS
Garcia, Gelman, Tedesco, and Tulley: UNDER 37 CFR 1.47(a)
Application No. 10/619,066 :
Filed: 14 July, 2003 :
Atty Docket No. 03-041 :

This is in response to the renewed petition filed under 37 CFR 1.47(a) on 13 May, 2004.

The petition is GRANTED.

Petitioners have shown that the non-signing inventor could not be reached to join in the filing of the above-identified reissue application despite having been sent a copy of the application papers. Specifically, petitioners have established, via the declaration of Michael D. Brinton, that a copy of the application was sent to the non-signing inventor, Victor M. Garcia. However, the non-signing inventor refused to sign the declaration naming him as a joint inventor during a telephone conversation with Mr. Brinton.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the application will be forwarded to Technology Center 3700 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned at 703-308-6918.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions